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Illinois. Dept. of public instruction.

THE SCHOOL LAW OF ILLINOIS

ENACTED BY THE

Forty-Fifth General Assembly

ISSUED BY

FRANCIS G. BLAIR

Superintendent of Public nstruction.

SPRINGFIELD, ILL.
PHILLIPS BROS., STATE PRINTERS
1907

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EDUCATIONAL COMMISSION.

AN ACT *to create an educational commission, to define its powers and duties, and to make an appropriation therefor.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a commission of seven members be, and is hereby created, to be known as the Educational Commission, to be constituted and appointed as hereinafter provided.

§ 2. Upon the passage and approval of this Act, the Governor shall nominate, and by and with the advice and consent of the Senate, appoint six persons representing the various phases of educational work within the State, who, together with the Superintendent of Public Instruction, shall constitute the commission. The Superintendent of Public Instruction shall be *ex officio* chairman of the commission. All vacancies that may occur by resignation or otherwise shall be filled by the Governor.

§ 3. The commission shall meet at the call of the chairman and elect a secretary, and shall cause a record to be made and kept of all its proceedings. Four members shall constitute a quorum for the transaction of business.

§ 4. It shall be the duty of the Educational Commission to make a thorough investigation of the common school system of Illinois, and the laws under which it is organized and operated: To make a comparative study of such other school systems as may seem advisable and to submit to the forty-sixth General Assembly a report including such suggestions, recommendations, revisions, additions, corrections and amendments as the commission shall deem necessary.

§ 5. The public printer is hereby authorized and directed to do all printing necessary for the Educational Commission.

§ 6. The members of the commission shall receive only their actual personal and traveling expenses, to be paid upon the presentation of itemized statements of such accounts, verified by affidavits, and approved by the Governor: *Provided, however,* that the secretary may

receive fair compensation for the time actually spent in the work of the commission, such compensation to be determined by the commission and approved by the Governor.

§ 7. The sum of $10,000.00 is hereby appropriated for postage, stationery, clerical and expert service, incidental and traveling expenses of the commission, and the Auditor of Public Accounts is hereby authorized to draw his warrant for the foregoing amount or any part thereof, on the order of the Educational Commission, signed by its chairman, attested by its secretary, and approved by the Governor.

APPROVED May 25, 1907.

REVENUE—TAXATION.

AN ACT *to amend Section 202, Article 8, of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force May 21, 1889, as amended by an Act approved April 21, 1899.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 202, Article 8, of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force May 21, 1889, as amended by an Act approved April 21, 1899, be amended so as to read as follows:

§ 202. For the purpose of establishing and supporting free schools for not less than six nor more than nine months in each year, and defraying all the expenses of the same of every description, for the purpose of repairing and improving school houses, of procuring furniture, fuel, libraries and apparatus, and for all other necessary incidental expenses in each district, village or city, anything in any special charter to the contrary notwithstanding, the directors of such district and the authorities of such village or city shall be authorized to levy a tax annually upon all the taxable property of the district, village or city not to exceed two and one-half per cent for educational and two and one-half per cent for building purposes (except to pay indebtedness contracted previous to the passage of this Act), the valuation to be ascertained by the last assessment for State and county taxes: *Provided, however,* that in cities having a population exceeding one hundred thousand inhabitants the board of education may establish and maintain vacation schools and play grounds under such rules as it shall prescribe. * * * * * *And, provided, further,* that in municipalities of less than 100,000 inhabitants the term incidental expenses herein used shall not include any sum expended or obligation incurred for the improvement, repair or benefit of the school buildings and property, but all such sums and obligations shall be paid from that portion of the tax levied for building purposes. *And, provided, further,* that no election or petition shall be necessary to authorize the levy of a tax for the ordinary repair and improvement of school buildings or grounds or for the payment of any special tax or special assessment levied upon such property.

APPROVED May 20, 1907.

HIGH SCHOOL PRIVILEGES.

AN ACT *to provide free high school privileges for graduates of the eighth grade.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the graduates of the eighth grade in any school district in this State, in which no high school is maintained, shall, upon the payment of tuition, be admitted to the high school of any district in the county in which such pupils reside, or in any adjoining county by and with the consent of the school board of such district where such high school is located. The tuition in cases where the parent or guardian of such pupil is unable to pay tuition, the same shall be paid by the school board of the district in which such pupils reside, from the funds of the district. But the tuition in no case shall exceed the *per capita* cost of maintaining the high school selected. The parent or guardian, with the approval of the school board of the home district and the consent of the school board of the district in which the high school is situated, shall be authorized to select the high school to be attended by such pupils: *Provided, however,* that the high school selected shall offer a program of studies extending through four school years: *And, provided, further,* that the application of this Act shall not relate to districts that offer work in the ninth and tenth grades, except to pupils that have completed the work in such grades.

APPROVED May 25, 1907.

LINDLY SCHOLARSHIPS.

AN ACT *to amend section 3 of an Act entitled, "An Act to provide for scholarships for graduates of the eighth grade," approved May 12, 1905.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of an Act entitled, "An Act to provide for scholarships for graduates of the eighth grade," approved May 12, 1905, be, and the same is hereby amended so as to read as follows:

§ 3. All examinations shall be held on any Saturday between the first day of March and the fifteenth day of May in each year, according to rules and regulations prescribed by the Superintendent of Public Instruction, and the pupil found to possess the highest qualifications shall be entitled to such scholarship: *Provided, however,* that such pupil shall be a resident of the township in which such examination is held: *And, provided, further,* that where no application is received from any township, the county superintendent of schools shall assign the pupil found to possess the next highest qualifications to that township.

§ 2. WHEREAS, An emergency exists, therefore this Act shall take effect and be in force from after its passage.

APPROVED April 20, 1907.

SCHOOL ATTENDANCE.

AN ACT *to amend sections 1, 4 and 5 of an Act entitled, "An Act to promote attendance of children in schools and to prevent truancy," approved June 11, 1897, as amended by an Act approved May 13, 1903.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 4 and 5 of an Act entitled, "An Act to promote attendance of children in schools and to prevent truancy," approved June 11, 1897, as amended by an Act approved May 13, 1903, be, and the same are hereby amended so as to read as follows:

Section 1. Every person having control of any child between the ages of seven (7) and sixteen (16) years, shall annually cause such child to attend some public or private school for the entire time during which the school attended is in session, which period shall not be less than one hundred and ten (110) days of actual teaching: *Provided, however,* that this Act shall not apply in any case where the child has been or is being instructed for a like period of time in each and every year in the elementary branches of education by a person or persons competent to give such instruction, or where the child's physical or mental condition renders his or her attendance impractical or inexpedient, or where the child is excused for temporary absence for cause by the principal or teacher of the school which said child attends, or where the child is between the ages of fourteen (14) and sixteen (16) years and is necessarily and lawfully employed during the hours when the public school is in session.

§ 4. Any person having control of a child, who, with intent to evade the provisions of this Act, shall make a false statement concerning the age or the employment of such child or the time such child has attended school, shall for such offence forfeit a sum of not less than three ($3.00) dollars nor more than twenty ($20.00) for the use of the public schools of such city, town, village or district.

§ 5. Any fine, forfeiture or penalty mentioned in this Act may be imposed by any court of record, or justice of the peace of the proper county, and any fine, forfeiture or penalty mentioned in this Act may be recovered in the name of the people of the State of Illinois for the use of the public schools of the city, town, village or district in which said child resides.

APPROVED May 25, 1907.

COUNTY FUND.

AN ACT *to amend Section 21, Article 2, of an Act to establish and maintain a system of free schools, approved and in force May 21, 1889.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 21, Article 2, of

an Act to establish and maintain a system of free schools, approved and in force May 21, 1889, be, and the same is hereby amended so as to read as follows:

§ 21. The county superintendent of schools shall apportion and distribute, under rules and regulations prescribed by the Superintendent of Public Instruction, the principal of the county fund to the townships and parts of townships in his county, according to the number of persons under 21 years of age returned to him. The principal of the county fund so distributed shall be added to the principal of the township fund of the townships and parts of townships in his county. The interest, rents, issues and profits, arising and accruing from the principal of the county fund shall be distributed to the townships and parts of townships in his county as required by the provisions of this Act.

APPROVED May 17, 1907.

ELECTIONS IN CERTAIN DISTRICTS.

AN ACT *to enable school districts acting under special charters to hold elections for the election of school directors, members of boards of education, and members of boards of school inspectors, at the time provided for the election of school directors under the general school law of the State.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases, where the time for the election of members of boards of directors, boards of education and boards of school inspectors, is fixed by virtue of any special charter, such election may be held at the time now provided, or which may hereafter be provided, for the election of school directors under the general school laws of this State now or hereafter in force.

§ 2. The provisions of this Act shall apply to the Board of School Inspectors of the city of Peoria, and to all other boards of directors, boards of education, and boards of school inspectors, existing under and by virtue of any special school charter heretofore granted by the State of Illinois.

§ 3. WHEREAS, an emergency exists, this Act shall be in force from and after its passage.

1. This bill having remained with the Governor for a period of ten days, Sunday excepted, and he not having filed it with his objections thereto in the office of the Secretary of State, it becomes a law in like manner as if he had signed it.

JOLIET SCHOOL DISTRICT.

AN ACT *to provide for the election of boards of school inspectors in certain cases, to define the powers and to regulate the revenue thereof, to vest the title to certain school property and to repeal certain Acts herein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in every city in this State

whose schools have been operating under the provisions of special Acts and are governed by a board of school inspectors, and where such city, together with territory added thereto for school purposes, includes two districts for the purpose of electing six inspectors (three in each district) and one district for all other school purposes, there shall continue to be elected a board of school inspectors, consisting of six members (three in each district) and one inspector at large, who shall be chosen for a term of three years.

§ 2. Such board of inspectors, when elected and qualified, shall have power, in addition to the powers conferred upon it by special law and the general school law, to employ teachers, janitors and such other employés as the board of inspectors shall deem necessary and to fix the amount of their compensation; to buy or lease sites for school houses, with the necessary grounds; to build, erect, lease or purchase buildings suitable for school purposes; to repair and improve school buildings and to furnish them with the necessary supplies, fixtures, apparatus, libraries and fuel: and such board of inspectors shall have full power, and it shall be the duty of such board of inspectors to take the entire supervision and control of the schools of such district.

§ 3. The board of school inspectors shall have the power to levy a tax, annually, upon all of the taxable property of such district, in the manner provided by Article 8 of the general school law, for the purpose of maintaining free schools, in accordance with the powers conferred by section 2 of this Act. All moneys raised by taxation for school purposes, or received from the State common school fund, or any other source, or now held or hereafter collected for school purposes, shall be paid to and held by the township treasurer as a special fund for school purposes, subject to the order of the board of school inspectors, upon warrants signed by the president and secretary thereof, or a majority of said board.

1. The taxing power should not be held to exist in a body seeking to exercise such power unless the power is conferred upon such body in clear and unequivocal terms. *People* v. *Mottinger*, 215-256.

§ 4. The title, care and custody of all school houses and school sites belonging to such districts shall be vested in the trustees of schools of the townships in which such districts are situated: *Provided, however,* that the supervision and control of such school houses and school sites shall be vested in the board of inspectors of such districts.

§ 5. The trustees of schools of townships in which such districts are situated are hereby vested with the power to alter or change the boundaries of such school districts when petitioned as provided for by the general school law.

§ 6. "An Act extending the powers of boards of school inspectors elected under special Acts," approved June 19, 1893, as amended by an Act approved June 11, 1897, and "An Act increasing the number of school inspectors elected under special Acts from six to seven members," approved March 6, 1895, "An Act to provide for the election

of boards of inspectors in certain cases," approved May 12, 1905, and all other Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

APPROVED May 25, 1907.

TOWNSHIP HIGH SCHOOL DISTRICTS.

AN ACT *to provide for the annexation for township high school purposes, of any school township, or part of such township, not having an established township high school, to any adjacent school township having an established township high school.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That upon petition of not less than five per cent of the voters of any school township not having an established township high school, which township adjoins any other school township having an established township high school, or upon petition of not less than five per cent of the voters of any specified territory within such school township not having such high school, filed with the township treasurer of schools at least fifteen days preceding the regular election of trustees of schools in said township, and upon petition of five per cent of the legal voters of the township having an established township high school, filed with the township treasurer of schools of such township, at least fifteen days preceding the regular election of trustees in such township, it shall be the duty of the treasurer of the township not having a township high school to notify the voters of such townships, or, where the petition is for the annexation of a part of said township, to notify the voters of said part of said township that an election "For" or "Against" annexing said school township, or part of the township, as the case may be, will be held at the next regular election of trustees of schools of said township, by posting notices of such election in at least ten of the most public places throughout such township, or part of the township, as the case may be, at least ten days before the date of such regular election, which notices may be in the following form:

HIGH SOHOOL ANNEXATION ELECTION.

Notice is hereby given that on Saturday, the.....day of April, A. D....., an election will be held at.....for the purpose of voting "For" or "Against" the proposition to annex for township high school purposes the following territory, to-wit: (Here insert the number and range of the township where the whole of the township is to be annexed, or where part of the township is to be annexed insert the said part of said township), to Township Number....., Range Number..... (township having an established high school)

The polls of said election will open at.....o'clock and close at.....o'clock of said day.

A..... B.....,
Treasurer.

§ 2. Where less than the whole of the township is to be annexed, only the voters in said territory in said township so to be annexed shall have the right to vote thereon in said township, and the trustees

of schools of such township shall furnish and provide at said election a voting place for said territory, and shall provide for the judges and clerk of such election at said place.

§ 3. It shall also be the duty of the treasurer of the township having an established high school to notify the voters of said township that an election "For" or "Against" annexing township ..... (naming the same), or part of the township ..... (naming the same), as the case may be, will be held at the next regular election of trustees, by posting notices of such election in at least ten of the most public places throughout such township, for at least ten days before the date of such regular election, which notices may be in the following form:

HIGH SCHOOL ANNEXATION ELECTION.

Notice is hereby given that on Saturday, the.....day of April, A. D....., an election will be held at.....for the purpose of voting "For" or "Against" the proposition to annex for township high school purposes the following territory, to-wit: (Here insert the number and range of the township where the whole of the township is to be annexed, or where part of the township is to be annexed insert the said part of said township), to Township Number....., Range Number..... (township having an established high school).

The polls of said election will be open at.....o'clock and close at..... o'clock of said day.

C..... D.....,
Treasurer.

§ 4. If the petitioners' petitions referred to in section 1 of this Act request the township treasurers, respectively, to submit said question at a special election, then it shall be the duty of said township treasurer to call said respective elections as provided in the foregoing sections, for some day and hour not exceeding thirty days from the date of the filing of said petition; and to give at least ten days' notice of said election, in which event the polls of said election shall be open for at least four consecutive hours, and the polling places in said respective townships shall be designated and fixed by said treasurers, respectively: *Provided,* that there shall be at least two polling places in each of the townships.

§ 5. If a majority of the voters voting on said proposition in the township having an established high school, and also if a majority of the voters voting on said proposition in said township desiring to be annexed, or where part of the township is to be annexed, a majority of the voters voting in said territory on said proposition, shall vote in favor thereof, then said township or territory, as the case may be, shall be and become so annexed, and the property in said township or territory, as the case may be, shall thereafter be subject to taxation for the support and maintenance of said township high school, including the payment of any bonded indebtedness of said township high school, and interest thereon, thereafter falling due, after such annexation, as fully and to the same extent as is now, or may hereafter be provided by law for the levying of taxes upon property for the support and maintenance of township high schools. The taxes collected from said township or territory annexed for the support and maintenance

of a township high school shall be paid by the officer collecting the same to the township treasurer of the township having the established high school.

§ 6. Said election shall be held in the manner now or hereafter provided by law for the holding of elections for township trustees of schools, and the ballots of such election shall be received and canvassed, and the returns thereof made as in other school elections: *Provided, however,* that if said election shall be carried as provided by this Act, it shall be the duty of the township treasurer of the township which is annexed, or part thereof, as the case may be, to file a certificate with the county clerk of the county in which said township is located, or if said township is situated in more than one county, with the respective clerks of said counties, certifying to the territory so annexed, giving a description thereof.

§ 7. WHEREAS, there are certain school townships in the State where the voters thereof are desirous of voting upon the matters in this Act set forth, at the next regular election for trustees, therefore an emergency exists, and this Act shall be and become in force from and after its passage.

APPROVED May 22, 1907.

NORMAL UNIVERSITY.

AN ACT *to amend section 6 of an Act entitled, "An Act for the establishment and maintenance of a Normal University," approved and in force February 18, 1857.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 6 of an Act entitled "An Act for the establishment and maintenance of a Normal University," approved and in force February 18, 1857, be amended so as to read as follows:

§ 6. The board of education shall appoint a principal, lecturer on scientific subjects, instructors and instructresses, together with such other officers as shall be required in the said Normal University; fix their respective salaries and prescribe their several duties. They shall also have power to remove any of them for proper cause, after having given ten days' notice of any charge, which may be duly presented, and reasonable opportunity of defense. They shall also prescribe the text books, apparatus and furniture to be used in the university, and provide the same; and shall make all regulations necessary for its management. And the said board shall have power to recognize auxiliary institutions when deemed practicable: *Provided, however,* that such auxiliary institutions shall not receive any appropriation from the treasury or the seminary or university fund. And the said board shall have the further power, on recommendation of the faculty of said Normal University, to issue diplomas to such persons as shall have satisfactorily completed the required studies, and to confer such professional degrees as are usually conferred by other institutions of like character for similar or equivalent courses of study.

APPROVED June 1, 1907.

SOUTHERN ILLINOIS NORMAL UNIVERSITY.

AN ACT *to amend section 12 of an Act entitled, "An Act to establish and maintain the Southern Illinois Normal University," approved and in force March 9, 1869.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 12 of an Act entitled "An Act to establish and maintain the Southern Illinois Normal University," approved and in force March 9, 1869, be amended so as to read as follows:

§ 12. The said board of trustees shall appoint instructors and instructresses, together with such other officers as may be required in said normal university, fix their respective salaries and prescribe their several duties. They shall also have power to remove any of them for proper cause, after having given ten days' notice of any charge which may be duly presented, and reasonable opportunity of defense. They shall also prescribe the text-books, apparatus and furniture to be used in the university and provide the same, and shall make all regulations necessary for its management. And the said board shall have the further power, on recommendation of the faculty of said Southern Illinois Normal University, to issue diplomas to such persons as shall have satisfactorily completed the required studies, and to confer such professional degrees as are usually conferred by other institutions of like character for similar or equivalent courses of study.

APPROVED June 1, 1907.

NORTHERN ILLINOIS STATE NORMAL SCHOOL.

AN ACT *to amend section 12 of an Act entitled, "An Act to establish and maintain the Northern Illinois State Normal School," approved May 22, 1895.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 12 of an Act entitled, "An Act to establish and maintain the Northern Illinois State Normal School," approved May 22, 1895, be amended so as to read as follows:

§ 12. The said board of trustees shall appoint instructors, together with such other officers as may be required in the said normal school, fix their respective salaries and prescribe their several duties. They shall also have power to remove any of them for proper cause after having given ten days' notice of any charge which may be duly presented, and reasonable opportunity for defense. They shall also prescribe the text-books, apparatus and furniture to be used in the school and provide the same, and shall make all regulations necessary for this management. And the said board shall have the further power, on recommendation of the faculty of said Northern Illinois State Normal School, to issue diplomas to such persons as shall have satisfactorily completed the required studies, and to confer such pro-

fessional degrees as are usually conferred by other institutions of like character for similar or equivalent courses of study.

APPROVED June 1, 1907.

EASTERN ILLINOIS STATE NORMAL SCHOOL.

AN ACT *to amend section 12 of an Act entitled, "An Act to establish and maintain the Eastern Illinois State Normal School," approved May 22, 1895.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 12 of an Act entitled, "An Act to establish and maintain the Eastern Illinois State Normal School," approved May 22, 1895, be amended so as to read as follows:

§ 12. The said board of trustees shall appoint instructors, together with such other officers as may be required in the said normal school, fix their respective salaries and prescribe their several duties. They shall also have power to remove any of them for proper cause after having given ten days' notice of any charge which may be duly presented, and reasonable opportunity for defense. They shall also prescribe the text-books, apparatus and furniture to be used in the school and provide the same, and shall make all regulations necessary for this management. And the said board shall have the further power, on recommendation of the faculty of said Eastern Illinois State Normal School, to issue diplomas to such persons as shall have satisfactorily completed the required studies, and to confer such professional degrees as are usually conferred by other institutions of like

APPROVED June 1, 1907.

EMINENT DOMAIN.

AN ACT *enabling trustees, boards of education, and other corporate authorities of universities, colleges, township high schools, and all other educational institutions established and supported by this State, or by a township, to exercise the right of eminent domain.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any lot or parcel of land shall be needed as a site for a building to be erected for any university, college, township high school, or other educational institution, established and supported by this State or by a township therein, and compensation for such lot or parcel of ground cannot be agreed upon between the owner or owners thereof and the trustees, board of education or other corporate authority of such university, college, township high school, or other educational institution so needing such lot or parcel of land for such site, then such trustees, board of education or other corporate authority of such university, college, township high school or other educational institution shall have the power and

it shall be their duty to proceed to have such compensation determined in the matter which may be at the time provided by law for the exercise of the right of eminent domain.

APPROVED May 20, 1907.

TEACHERS' PENSION FUND.

AN ACT *to provide for the formation and disbursement of a public school teachers' pension and retirement fund in cities having a population exceeding 100,000 inhabitants.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter in cities having a population exceeding 100,000 inhabitants, there shall be created, established and maintained, in the manner provided by this Act, a public school teachers' pension and retirement fund, under the management and control of a board of trustees, to be elected as hereinafter provided.

§ 2. There shall, in every city in this State having a population exceeding 100,000 inhabitants, be elected a board of trustees to have the administration and control of a public school teachers' pension and retirement fund, to be created and maintained in the manner provided by this Act. Such board of trustees shall consist of nine members, who shall each hold office until his successor is elected as herein provided. The secretary of the board of education of such city shall be *ex officio* a member of said board of trustees; in addition thereto there shall be elected annually at the first meeting of the board of education in the month of October of each year from said board two of its members to said board of trustees; and on the date of the first meeting of the said board of education held in October, A. D. 1907, there shall be elected six members to said board of trustees from the teachers' force employed in said city; two for the term of one year, two for the term of two years and two for the term of three years, and on the date of the first meeting of said board of education in the month of October of each year thereafter there shall in like manner be elected two members to said board of trustees, who shall hold their office for a term of three years. The election of the members of said board of trustees by the board of education shall be by a majority vote in such manner as they, the board of education, shall provide. The election of the members to said board of trustees by the teaching force of such city shall be by ballot at an election held by the board of education, which shall conform as near as may be to the provisions of the law in relation to school elections, and each person being a member of the teaching force of such city, and a contributor to said pension and retirement fund shall be entitled to cast, at such election, one vote for each trustee to be elected. Elections to fill vacancies may be held and called by the board of education at the annual election: *Provided,* that the board of education may fill vacancies occurring in the membership of said board of trustees elected from said board of education at any regular meeting of the board of education.

§ 3. Said board of trustees shall have charge of and administration of the public school teachers' pension and retirement fund of such city, and shall have power to invest the same in such manner as it shall deem most beneficial to said fund, but in the same manner and subject to the same terms and conditions as township trustees are permitted to invest school funds under the laws now in force or such as shall hereafter be enacted and shall have power to make payments from said fund of pensions or annuities granted in pursuance of this Act; and shall from time to time make and establish such by-laws, rules and regulations for the administration of said fund, as they shall deem advisable and shall have power to employ such assistance and service as may, in their judgment, be necessary for the proper enforcement of the provisions of this Act and carrying into effect valid by-laws, rules and regulations enacted by them, and they shall have power to fill any vacancies occurring in said board of trustees of members elected from the teaching force of said city, until the next annual election, when said vacancies shall be filled as provided by this Act.

§ 4. The public school teachers' pension and retirement fund of such city shall consist of moneys paid into said fund by persons desiring the benefits thereof, under the provisions of this Act; of moneys received from donations, legacies, gifts, bequests or otherwise on account of said fund and of moneys paid into said fund in pursuance of any law now in force or hereafter to be enacted.

§ 5. Any person who shall be employed to teach in the public school of any such city, after this Act shall take effect, shall be entitled to the benefits of said fund upon complying with the provisions of this Act, and for the purposes of this Act such persons shall be divided into the following classes:

1. Those who have taught five years or less.
2. Those who have taught more than five years and not more than ten years.
3. Those who have taught more than ten years and not more than fifteen years.
4. Those who have taught more than fifteen years.

And after this Act shall take effect, there shall be set apart from the salaries of all persons hereafter entering for the first time the employ of the board of education of such cities $5.00 per annum, while they remain in the first class; $10.00 per annum while they remain in the second class; $15.00 per annum while they remain in the third class, and $30.00 per annum while they remain in the fourth class, which amounts shall be deducted by the board of education in equal installments from their respective salaries at the regular times for the payment thereof, and be paid into and constitute a part of the public school teachers' pension and retirement fund of such city.

§ 6. All persons who have heretofore been contributors to a public school teachers' pension and retirement fund of cities having a population exceeding 100,000 inhabitants, under any law now in force but who have withdrawn from such participation, may, if they shall exercise the option within six months from the time this Act shall become effective renew their right to participation in a fund to be created in

said city under the provisions of this Act, by paying into said fund the full amount of any moneys they may have withdrawn from such previous fund and the full amount they would have contributed had they not withdrawn therefrom together with interest thereon at the rate of 4 per cent per annum from the time such moneys were withdrawn and from the time such payments would have become due to the date of their acceptance of the provisions of this section; and thereafter such persons shall contribute to said fund upon the same terms as teachers who shall hereafter be employed and become contributors to and beneficiaries of said fund.

§ 7. All teachers who are now in the service of the board of education of any such city, other than those described in the previous section, may, if they shall exercise the option within six months from the time this Act becomes effective become contributors to and beneficiaries of the public school teachers' pension and retirement fund created under the provisions of this Act, upon the same terms as teachers who shall hereafter be employed and become contributors to and beneficiaries of said fund under section 6 of this Act.

§ 8. Those teachers in the employ or hereafter to be employed by the board of education of any such city, who shall become contributors to and beneficiaries of a public school teachers' pension and retirement fund, under any provisions of this Act, may count past service as a part of the period of twenty-five years hereinafter specified, by paying into said fund a sum equal to that which he or she would have contributed under the provisions of this Act, had he or she been a regular contributor to said fund, during said period of past service, together with interest thereon at the rate of 4 per centum per annum from the time such payments would have been made to the time such person shall by making such payment become entitled to the benefit of such past service.

§ 9. Such board of trustees shall have the power and it shall be its duty to pass a resolution declaring the maturity of service and right to the immediate benefits of said fund in favor of persons entitled to the benefits thereof in the following cases:

1. When any such persons shall have taught in the public schools or rendered serviec therein for a period of twenty-five years within the meaning of this Act.

2. When any contributor to the said fund shall have taught fifteen years in the public schools within the meaning of this Act and shall by three competent physicians, who have made a physical examination of the teacher, at the request of a majority of such board of trustees, have been declared to be suffering from a permanent disability: *Provided,* that neither said board of trustees nor said board of education shall declare any contributor entitled to the immediate benefits of said fund until he or she shall have taught in the public schools of such city three-fifths of the term of service of twenty-five or fifteen years as the case may be; and no person shall be entitled to the benefits of said fund until he or she shall have retired from service as a teacher in said city.

§ 10. Each teacher so retired or retiring after twenty-five years of service shall thereafter be entitled to receive an annuity of $400.00 and each teacher so retired because of permanent disability after fifteen years of service shall receive as an annual pension such proportion of the full annuity of $400.00 as the sum contributed by such teacher so retired bears to the total contribution required for a full annuity. Said pensions and annuities shall be paid monthly during the school year by said board of trustees out of the fund created in accordance with the provisions of this Act in the manner provided by law for the payment of teachers' salaries.

§ 11. The board of trustees in any such city, created by the provisions of this Act, shall succeed to the administration of any like fund established under any law now in force in this State and such board is hereby given the power to use both the principal and income of all funds for the payment of the pensions or annuities in this Act provided for, and shall have the power to reduce from time to time all pensions and annuities, provided such reduction shall be at the same rate on all classes and be rendered necessary by the condition of said fund. Any public school teacher who has heretofore retired from service and is entitled to a pension or annuity from a like fund created under any law now in force to the administration of which such board of trustees has succeeded, or is a recipient of a pension or annuity thereunder, shall henceforth be entitled to participate in right of the present law on the same basis as members of the teaching force contributing to said pension and retirement fund, and to receive a graduating pension ranging from four-fifths to five-fifths of pensions paid under the provisions of this Act, dependent upon time of service ,and $30.00 per annum shall be withheld from such pensioner or annuitant as his or her additional contribution to said pension and retirement fund until he or she shall have paid the aggregate contribution of $450.00, provided this clause shall not be operative until pensions shall be payable under the provisions of this Act.

§ 12. The president and the secretary of said board of education shall certify monthly to the city treasurer all amounts deducted from the salaries of teachers, special teachers, principals and superintendents of the board of education in accordance with the provisions of this Act, which amounts, as well as all other moneys contributed to said fund, shall be set apart and held by said treasurer as a special fund for the purposes hereinbefore specified, subject to the order of said board of trustees herein created, and shall be paid out upon warrants signed by the president and secretary of said board of education, and countersigned by the president of the said board of trustees.

§ 13. The city treasurer *ex officio* shall be the custodian of said pension fund, and shall secure and safely keep the same, subject to the control and direction of said board of trustees and shall keep his books and accounts concerning such fund in such manner as may be prescribed by said board, and said books and accounts shall always be subject to the inspection of said board or any member thereof. Said

city treasurer shall be liable on his official bond for the proper performance of his duties and the conservation of the fund created by this Act. Any legal proceedings which may be necessary for the enforcement of the provisions of this Act, shall be brought by and in the name of the board of education for the use of the board of trustees of the public school teachers' pension fund.

§ 14. No teacher who has been, or who shall have been, elected by said board of education, shall be removed or discharged, except for cause, upon written charges, which shall upon said teacher's written request, be investigated and determined by said board of education, whose action and decision in the matter shall be final. If at any time a teacher who is willing to continue is not re-employed or is discharged before the time he or she would, under the provisions of this Act, be entitled to a pension, then such teacher shall be paid back at once the money he or she may have contributed under this law. Any teacher who shall retire voluntarily from the service, prior to entering the aforesaid fourth class, shall receive a refund of one-half of the money he or she shall have contributed under this law.

§ 15. All persons who shall hereafter be employed for the first time as teachers by the board of education of any such city shall by such employment accept the provisions of this Act and thereupon become contributors to said pension fund in accordance with the terms hereof. And the provisions of this Act shall become a part of and enter into any such contract of employment.

§ 16. The money and property now in any such pension fund in any such city, under any law now in force in this State, shall be subject to the control of a board of trustees to be elected under the provisions of this Act.

§ 17. All pensions or annuities granted under the provisions of the Act and every portion thereof shall be exempt from attachment or garnishment process and shall not be seized, taken, subjected to, detained or levied upon by virtue of any execution, or any process or proceedings whatsoever issued out of or by any court of this State for the payment or satisfaction in whole or in part of any debt, claim, damage, demand or judgment against any pensioner hereunder, and no annuitant or pensioner shall have the right to transfer or assign his or her pension or annuity or any part thereof either by way or mortgage or otherwise.

§ 18. This Act is intended to succeed and take the place of all previous Acts on the subject of public school teachers' pension and retirement fund in cities having a population exceeding 100,000 inhabitants. And all Acts and parts of Acts in conflict herewith are hereby repealed.

Approved May 24, 1907.

TEACHERS' PENSION FUND AGAIN.

AN ACT *to provide for the contribution from interest on public school funds to the public school teachers' and public school employés pension and retirement funds in cities having a population exceeding 100,000 inhabitants.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That neither the treasurer nor and other officer, having the custody of public school funds of any city, having a population exceeding 100,000 inhabitants, shall be entitled to retain any interest accruing thereon or any part thereof, but such interest shall accrue and inure to the benefit of such school funds respectively, become a part thereof and be paid into the city treasury, subject to the purposes of this Act.

§ 2. The board of education of any such city, as to such funds raised by taxation, levied by such city for school purposes, whether the same be for educational purposes or for building purposes, shall annually set aside all interest so added to such funds and contribute the same to the public school teachers' and public school employés' pension and retirement funds now created or existing or such as may be hereafter created pursuant to any law. The amount of such interest so contributed, however, shall not exceed in any year 1% of the sums so levied for such purposes.

APPROVED May 24, 1907.

PROPOSED CHICAGO CHARTER.

Article XIX.

DEPARTMENT OF EDUCATION.

19—1. The city of Chicago shall constitute one school district, and shall maintain a thorough and efficient system of free schools whereby the children of the city may receive a good common school education. The public school system shall be a department of the city government, to be known as the department of education, at the head of which there shall be a board of education, and no power by this charter vested in the board of education or in any officer of the department shall be exercised by the city council except as by this charter provided.

19—2. From and after the taking effect of this Act, the board of education shall consist of fifteen members, to be appointed by the mayor with the approval of the city council, five of whom shall be appointed for the term of one year, five for the term of two years and five for the term of three years. At the expiration of the term of any member of said board of education, his successor shall be appointed in like manner and all members thus appointed and their successors shall hold their office for the term of three years from the first day of May of the year in which they are appointed. Any vacancy which may occur in the membership of said board of education shall be filled through appointment by the mayor with the approval of the city council for the unexpired term. If any person so appointed shall fail to qualify within thirty days after his appointment, the office shall be filled by a new appointment for the unexpired term. Members of the board of education shall serve without compensation. Any member of the board of education may be removed by the mayor upon proof either of official misconduct in office or of neglect of official duty, or of misconduct in any way connected with his official duties, or otherwise, which tends to discredit his office or the school system, or for mental or physical inability to perform his duty as a member, but before the removal of such a member he shall receive a timely notice in writing of th charges and a copy thereof and shall be entitled to a hearing on like notice before the mayor and to the assistance of counsel on said hearing.

19—3. To be eligible for appointment to the board a person shall be at least twenty-five years of age, a citizen of the United States and shall have been a resident of the city of Chicago for at least five years immediately preceding his or her appointment.

19—4. Mmbers of the board of education shall not while serving as such members hold any other public office under the federal, State, or any local government, other than that of a notary public, or member of the national guard; but by accepting any such public office while members of the board of education, or by not resigning any such office held at the time of being appointed to the board of education within thirty days after such appointment, shall be deemed to have vacated their membership in such board.

19—5. No member of the board of education and no member of the department of education shall be interestd in the sale, proceeds or profit of any books, apparatus, furniture, supplies, or other property real or personal used or to be used in, or in connection with, any of the public schools of the city. Any member of such board or department violating the provisions of this section shall upon conviction thereof pay a fine in a sum of not less than $25.00 nor more than $500.00, and may be imprisoned in the county jail or house of correction for not less than one nor more than twelve months, in the discretion of the court.

19—6. Rules of the board of education shall be enacted or changed, moneys appropriated or expended, salaries fixed or changed, course of instruction adopted or changed only at regular meetings of the board of education and by a vote of a majority of the full membership of the board, and upon such proposition and upon all propositions requiring for their adoption at least a majority of all the members of the board the ayes and nays shall be taken and recorded.

19—7. The board of education shall elect annually from its own number, a president and vice president in such manner and at such time after the yearly appointment of new members, and not later than the second regular meeting of the board after such appointment, as the board may determine by its rules. The president shall preside at the meeting of the board and shall have the same power to vote at such meetings as any other member, but shall not have the power of veto. He shall exercise a general superintendence over the affairs of the board and shall perform such duties as may be imposed upon him by the rules of the board. The vice president shall perform the duties of the president in case of the president's absence or inability to act and shall perform such other duties as may be imposed upon him by the rules of the board.

19—8. The board of education shall by a vote of a majority of the full membership of the board appoint as executive officers a superintendent of education, a business manager and a secretary, and may also appoint or provide for the appointment of such other officers and employés as it may deem necessary.

19—9. The board shall, subject to the provisions of this charter, prescribe the duties, compensation and terms of office of all officers, but the term of office of no such officer shall exceed four years and the

salary of no officer shall be lowered during his term of office, either by the board or by the city council, except by a *pro rata* reduction that may be necessary in case of a general reduction affecting all employés. The board shall also prescribe the duties and compensation of all employés of the department. It may prescribe which of its officers or employés shall give bond and in what amount.

19—10. The appointment and removal of the superintendent of education and business manager and of the attorney and auditor (if any such officers shall be appointed) shall not be subject to the civil service law, but such officers shall be removable only for cause by vote of not less than a majority of all the members of the board upon written charges to be heard by the board upon due notice to the officers against whom they are preferred, but pending the hearing of such charges the officers charged may by a two-thirds vote be suspended by the board.

19—11. All appointments of employés of the board of education, except as herein otherwise provided, shall be made in pursuance of the provisions of the civil service law, and no employé shall be removed except for cause, upon written charges, which shall be investigated and determined by the board of education, whose action and decision in the matter shall be final, when approved by the civil service commission. Teachers shall for this purpose not be held to be employés.

19—12. The title of all property, real and personal, held for the use or benefit of schools shall be vested in the city of Chicago in trust for the use of the schools.

19—13. The board of education may, with the concurrence of the city council, to be manifested by the passage of an ordinance for that purpose, acquire by purchase, condemnation or otherwise, real estate for school purposes, including school buildings, play grounds and offices for the board of education. Condemnation proceedings for the purpose of acquiring such property shall be conducted in the name of the city of Chicago for the use of the schools.

19—14. The board of education may rent buildings, rooms or grounds, or for the use of schools, or for the purpose of school administration, but it shall not take any lease or renewal thereof for a term longer than five years without the concurrence of the city council, nor alter the provisions of any lease heretofore or hereafter made whose unexpired term may exceed five years, without such concurrence.

19—15. The board of education shall have the power to let school property on leasehold for a term not longer than ninety-nine years from the date of granting the lease; but it shall not make or renew any lease for a term longer than five years without the concurrence of the city council, nor alter the provisions of any lease heretofore or hereafter made whose unexpired term may exceed five years, without such concurrence.

19—16. The board of education may grant the use of assembly halls and class rooms whrn not otherwise needed, including light, heat and attendance, for public lectures, concerts and other educational and social interests, free of charge, but under such provisions and control as the board may see fit.

19—17. No sale of real property used for school purposes or held in trust for the schools shall be made by the city council except upon written request of the board of education. Personal property other than chattels real belonging to the department and no longer needed for its purposes may be sold under its direction.

19—18. All moneys raised by taxation for school purposes or received from the State common school fund or from any other source for school purposes, shall be held by the city treasurer, as a separate fund, for school purposes, subject to the order of the board of education upon a warrant of its president, to be countersigned by the mayor and city comptroller.

19—19. Investments of school funds shall only be made in government, State or municipal securities.

19—20. The mayor shall as often as yearly, and may as often as semi-annually, appoint certified public accountants to examine and audit the accounts of the board of education, and a report thereof, together with any recommendations of such accountants as to changes in the business methods of the board or any of its departments, officers, or employés, shall be made to the mayor, the city council, and the board of education, and be spread upon the records of the latter. The expense of such audit shall be paid by the board.

19—21. The board of education shall make an annual report to the city council.

19—22. The board of education shall exercise general supervision and management of the public education and the public school system of the city of Chicago and shall have power to make suitable provision for the establishment and maintenance throughout the year or for such portion of the year as it may direct of schools of all grades and kinds, including normal schools, night schools, schools for defectives and delinquents, parental or truant schools, schools for the blind, the deaf and the crippled, schools or classes in manual training, constructional and avocational teaching, domestic arts and physical culture, vacation and extension schools and lecture courses and all other educational institutions and facilities. It shall have the power to coöperate with the juvenile court and to make arrangements with the public or quasi-public libraries and museums for the purpose of extending the privilege of such libraries and museums to attendants of schools and the public in the neighborhood of the schools.

19—23. The board of education shall establish by-laws, rules and regulations for the proper maintenance of a uniform system of discipline and management of the schools, and may fix the school age of pupils, which in kindergarten schools shall not be under four years and in the grade schools shall not be under six years. It shall have the power to expel any pupil who shall be guilty of gross disobedience or misconduct.

19—24. The board of education shall have continuing power to divide the city into sub-districts and apportion the pupils to the several schools, but no pupil shall be excluded from or segregated in any such school on account of his or her race, color or nationality.

19—25. The board of education shall have the power to prescribe the courses and method of studies in the various schools, subject to the general laws of the State.

19—26. The specification of the powers herein granted is not to be construed as exclusive, but the board of education shall exercise all power that may be requisite or appropriate for the maintenance and fullest development of an efficient public school system.

19—27. The superintendent of education shall have general supervision, subject to the board, of the courses of study, text books, educational apparatus, discipline and conduct of the schools, and shall perform such other duties as the board may by rule prescribe. Appointments, promotions and transfers of teachers, principals and assistant and district superintendents and other educational officers shall be made, and text books and educational apparatus shall be introduced by the board of education only upon his recommendation, unless it be by a two-thirds vote of all the members of the board. Text books shall not be changed oftener than once in four years.

19—28. The superintendent of education shall have a seat in the board of education, but no vote.

19—29. The business manager shall have general care and supervision of the property and routine business of the department of education. In matters affecting the general policy of his administration he shall be subject to the direction of the board. He shall, with the concurrence of the board of education, appoint his subordinates. The board of education shall maintain a bureau of buildings and construction which shall have charge of the erection, construction, alteration and repair of all buildings under the control of the board of education. The board of education shall, subject to the provisions of the civil service law, appoint a chief architect, who shall be at the head of the bureau of building and construction, and also a chief engineer, who shall have charge of the matters relating to the heating, ventilating and sanitation of buildings. The architect and chief engineer shall be removed only in pursuance of the provisions of the civil service law. They shall be subject to the general direction of the business manager.

19—30. The board of education shall examine all persons offering themselves as candidates for teachers and when found well qualified shall give them certificates gratuitously. Appointments and promotions of teachers and principals shall be made for merit only, and after satisfactory service for a probationary period of three years appointments of teachers and principals shall become permanent, subject to the rules of the board concerning conduct and efficiency, and subject to removal for cause upon written charges after a hearing before the board of education or a committee appointed by the board; but the board need not retain in service more principals or teachers than in its judgment the needs of the school require.

19—31. The board of education shall have the power, subject to the power over appropriation vested in the city council, to prescribe the compensation of teachers and other educational officers. Such compensation shall be payable monthly.

19—32. The provisions of this Act regarding education shall constitute a part of the law intended to provide for the city of Chicago a system of free schools; and shall be construed in connection with the general school law of the State. Except as by this Act modified the provisions of the general school law shall apply to the city of Chicago and for the purpose of sharing in the distribution of the common school fund and other distributive funds, the schools of the city shall be deemed to be kept in accordance with the provisions of said law.

Article XX.

COMPULSORY EDUCATION.

20—1. Every person having control of any child between the ages of seven and sixteen years shall annually cause such child to attend some public or private school for the entire time during which the school attended is in session, which period shall not be less than one hundred and ten days of actual teaching: *Provided,* this requirement shall not apply to any case where the child has been or is being otherwise instructed for a like period of time in each and every year in the elementary branches of education by a person or persons competent to give such instruction, or to any child whose physical or mental condition renders his or her attendance impracticable or inexpedient, or who is excused for temporary absence for cause by the principal or teacher in charge of the school which such child attends, or to any female child of the age of fourteen years and upwards whose services are required in her home and who is on that account excused from attendance by the board of education or by the superintendent or the principal of the parochial school which she has been attending before being so excused, or to any child of the age of fourteen years and upwards while such child is in good faith engaged in regular and lawful employment which occupies him or her regularly not less than five hours daily for not less than five days in each week.

20—2. Every person or corporation employing a child of the age of fourteen years and upwards and under the age of sixteen shall forthwith report such employment to the board of education, together with the number of days in the week and the number of hours in the day during which such child will be regularly employed, and also such other particulars as the board of education may prescribe. When the employer ceases to employ such child regularly for the period of time above stated, he shall report the fact to the board of education. The board of education shall keep blank forms of notices and reports at convenient places throughout the city for free distribution. The board of education shall keep on file in its office copies of all age and school certificates issued by it and shall also procure and place on file copies of the age and school certificates issued by superintendents or principals of parochial schools and filed in duplicate in the office of the State factory inspector.

20—3. Any person violating any duty imposed upon him by the two foregoing sections and any person who for the purpose of evading the provisions of said sections shall make false statements concerning

the age of any child or regarding the time such child has attended school, or concerning the fact or time or continuance of the employment of such child, shall be fined in a sum not exceeding twenty dollars for any one offense. Such fine shall be paid into the city treasury for the use of the department of education.

20—4. The board of education shall appoint one or more truant officers subject to the civil service rules, whose duty it shall be to report all violations of the law regarding compulsory school attendance to the board of education, and to enter complaint against and prosecute all persons who shall appear to be guilty of any violation of such law. It shall be the duty of said truant officers to arrest any child of school age that habitually haunts public places and has no lawful occupation, and also any truant child who absents himself or herself from school without being lawfully excused as aforesaid, and to place him or her in charge of the teacher or principal having charge of any school which said child is by law entitled to attend, and which school shal be designated to said officer by the parent, guardian or person having control of said child. In case such parent, guardian or person shall designate a school without making or having made arrangements for the reception of said child in the school so designated, or in case he refuses or fails to designate any school, then such truant officer shall place such child in charge of the principal of a public school. And it shall be the duty of said principal to assign said child to the proper class, and to instruct him or her in such studies as he or she is fitted to pursue. The truant officer so appointed shall be entitled to such compensation for services rendered under this Act as shall be determined by the board of education, and which compensation shall be paid out of the distributable school fund: *Provided,* that nothing herein contained shall prevent the parent, guardian or person having charge of such truant child, which has been placed in any school by the truant officer, to thereafter send said child to any other school which said child is by law entitled to attend.

20—5. Any child of compulsory school age who is habitually truant may be committed to a parental school in the manner hereinafter provided. Parental schools shall not be erected at or near any penal institution.

20—6. It shall be the duty of any truant officer or agent of such board of education to petition, and any reputable citizen of the city may petition, the county or circuit court of the county, to inquire into the case of any child of compulsory school age who is not attending school, and who has been guilty of habitual truancy, or of persistent violations of the rules of the public school, and the petition shall also state the names, if known, of the father and mother of such child, or the survivor of them; and if neither father nor mother of such child is living, or can not be found in the county, or if their names can not be ascertained, then the name of the guardian if there be one known; and if there be a parent living whose name can not be ascertained, or a guardian, the petition shall show whether or not the father or mother or guardian consents to the commitment of such child to such parental or truant school. Such petition shall be verified by oath upon the belief

of the petitioner, and upon being filed the judge of the county or circuit court shall have such child named in the petition brought before him for the purpose of determining the application in said petition contained. But no child shall be committed to such school who has ever been convicted of any offense punishable by confinement in any penal institution.

20—7. Upon the filing of such petition the clerk of the court shall issue a writ to the sheriff of the county directing him to bring such child before the court; and if the court shall find that the material facts set forth in the petition are true, and if, in the opinion of the court, such child is a fit person to be committed to such parental or truant school, an order shall be entered that such child be committed to such paretal or truant school, to be kept there until he or she arrives at the age of fourteen years, unless sooner discharged in the manner hereinafter set forth. Before the hearing aforesaid notice in writing shall be given to the parent or guardian of such child, if known, of the proceedings about to be instituted, that he or she may appear and resist the same, if they so desire.

20—8. It shall be the duty of the parent or guardian of any child committed to this school to provide suitable clothing upon his or her entry into such school, and from time to time thereafter as it may be needed, upon notice in writing from the superintendent or other proper officer of the school. In case any parent or guardian shall refuse or neglect to furnish such clothing, the same shall be provided by the board of education, and such board may have an action against such parent or guardian of said child to recover the cost of such clothing, with ten per cent aditional thereto.

20—9. No religious instruction shall be given in said school except such as is allowed by law to be given in public schools; but the board of education shall make suitable regulation so that the inmates may receive religious training in accordance with the belief of the parents of such children, either by allowing religious services to be held in the institution or by arranging for attendance at public service elsewhere.

20—10. The board of education shall have power to establish rules and regulations under which children committed to such parental or truant school may be allowed to return home upon parole, but to remain while upon parole in the legal custody and under the control of the officers and agents of such school, and subject at any time to be taken back within the enclosure of such school by the superintendent or any authorized officer of said school, except as hereinafter provided; and full power to enforce such rules and regulations to retake any such child so upon parole is hereby conferred upon such board of education. No child shall be released upon parole in less than four weeks from the time of his or her commitment, nor thereafter until the superintendent of such parental or truant school shall have become satisfied from the conduct of such child that, if paroled, he or she will attend regularly the public or private school to which he or she may be sent by his or her parents or guardian, and shall so certify to the board of education.

20—11. It shall be the duty of the principal or other person having charge of the school to which such child so released on parole may be

sent, to report at least once each month to the superintendent of the parental or truant school, stating whether or not such child attends school regularly, and obeys the rules and requirements of said school; and if such child so released upon parole shall be regular in his or her attendance at school and his or her conduct as a pupil shall be satisfactory for a period of one year from the date which he or she was released, on parole, he or she shall then be finally discharged from the parental or truant school, and shall not be recommitted thereto except on petition as hereinbefore provided.

20—12. In case any child released from said school upon parole, as hereinbefore provided, shall violate the conditions of his or her parole at any time within one year thereafter, he or she shall upon the order of the board of education, as hereinbefore provided, be taken back to such parental or truant school, and shall not again be released upon parole within the period of three months from the date of such re-entering; and if he or she shall violate the conditions of a second parole, he or she shall be recommitted to such parental or truant school and shall not be released therefrom on parole until he or she shall remain in such school at least one year.

20—13. In any case where a child is found to be incorrigible and his or her influence in such school to be detrimental to the interest of the other pupils, the board of education may authorize the superintendent or any officer of the school to represent these facts to the circuit or county court by petition; and the court shall have authority to commit said child to some juvenile reformatory.

Approved June 5, 1907.

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